

## **NOTICE OF DECISION**

April 1, 2005

To Whom It May Concern:

Attached, please find a copy of the approved Planning Commission Order finalizing the Planning Commission recommendation to the Beaverton City Council on **TA2004-0011 Tree Code Text Amendment**.

The Planning Commission's recommendation may be appealed within ten (10) calendar days of the date of this notice. The appeal closing date is **5:00 p.m., Monday, April 11, 2005**. Appeals shall be filed pursuant to Section 50.75 of the Beaverton Development Code. Pursuant to Section 50.75, an appeal application shall contain the following minimum information:

1. The case file number designated by the City.
2. The name and signature of each appellant.
3. Reference to the oral or written evidence provided to the decision-making authority by the appellant that is contrary to the decision.
4. If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision-making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
5. The specific approval criteria, condition, or both being appealed, the reasons why the finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
6. The appeal fee, as established by resolution of the City Council.

The appellate decision making authority on appeal of a Type 4 decision shall be the City Council. The appeal hearing shall be *de novo*, which means new evidence and argument can be introduced in writing, orally, or both. The hearing of the appeal shall be conducted

in the manner specified in Section 50.85 through 50.88 except as otherwise required by statute.

Please note that the failure to comply with the requirements of Sections 50.75.1 and 50.75.2 is jurisdictional and deprives the appellant of an opportunity for the appellate decision making authority to hear an appeal.

The current appeal fee is \$638.00.

The complete case file is available for review at the Development Services Division, Community Development Department, 2<sup>nd</sup> Floor, City Hall, 4755 SW Griffith Drive. Hours of operation are 8:30 a.m. to 4:30 p.m., Monday through Friday, except for holidays. For more information about the project, please contact Barbara Fryer, AICP, at 503.526.3718 or Leigh Crabtree at 503.526.2458.

For further information about your appeal rights, please contact the City Recorder at 503.526.2650.

If no valid appeal is filed by 5:00 p.m. April 11, 2005, the City Council will consider the Planning Commission's recommendation at the City Council meeting on April 11, 2005. Council meetings begin at 6:30 p.m. and are in the City Council Chambers, 1<sup>st</sup> Floor, City Hall, 4755 SW Griffith Drive. City Council consideration will be first ordinance reading.

Sincerely,

Hal Bergsma,  
Planning Services Division Manager

cc:	Mark Perniconi	Patrick Flanigan	Quinton Mattson
	John Nelms	Jim Labbe	David Williams
	David Cole	Susan Murray	Glenna Grossen
	Julie Reilly	Scott Russell	Lou Bauer
	Michael Jones	Kendra Smith	Cameron Irtifa
	Walter Collins	Mary Hall & Steve West	Jim Parker
	Catherine Darby	Martin Kagen	Sarwan Singh